



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON, D.C. 20370-5100

LCC:ddj  
Docket No: 5092-00  
21 November 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 5420 PERS 86 of 10 October 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

5420

PERS-86

OCT 10 2000

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN CASE OF  
[REDACTED]

Encl: (1) BCNR File 05092-00 w/Service Record  
(2) MAPMISMAN, Part I (Inactive)  
(3) DOD Financial Management Regulation Vol. 7A, Ch. 1

1. We are returning enclosure (1) with the recommendation that Lieutenant Commander Viswanadham [REDACTED] petition be denied.

2. Lieutenant Commander [REDACTED] requests that his pay should be based on his permanent grade date of 11 June 1997.

3. Lieutenant Commander [REDACTED] permanent grade date of 11 June 1997 is reflected on his oath of office. His date of rank on his oath of office is 29 June 2000. An individual's pay is based upon the pay entry base date as described in Enclosure 2. It is to be the date that is the actual or constructive date of an individual's original entry into the service. Enclosure 3 paragraph 010201 clarifies what qualifies as constructive time for adjusting the pay entry base date. The constructive time doctors receive in school while counting toward date of rank for promotion purposes, does not count toward pay entry base date. The permanent grade date that Lieutenant Commander [REDACTED] refers to is his date of present rank. As such it is not for pay purposes, it is only for establishing Lieutenant Commander [REDACTED]'s seniority and eligibility for promotion.

4. Lieutenant Commander [REDACTED] service to his country is laudable and he can be justifiably proud of his contribution; the negative response to this request does not detract from his honorable service to this nation and the United States Navy.

[REDACTED]  
Director, Reserve Officer  
Promotions, Appointments, and  
Enlisted Advancement Division